

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BARRY MCGOWAN,

Plaintiff,

-against-

PHILLIPS EDISON & COMPANY LTD., PREP CO.,
LLC, PECO REAL ESTATE PARTNERS, LLC, and
MICHAEL C. PHILLIPS, individually,

Defendants.
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Docket No.:
17-cv-8544 (SHS) (RWL)

Please take notice that, upon the annexed declaration of **Nancy V. Wright, Esq.** dated January 16, 2018, the exhibits annexed thereto and the memorandum of law, the Defendants, PREP CO., LLC, PECO REAL ESTATE PARTNERS, LLC, and MICHAEL C. PHILLIPS, in response to Plaintiff's complaint, will move this Court before The Honorable Sidney H. Stein, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, NY 10007, on February 13, 2018, at 10:00 AM, or as soon thereafter as counsel may be heard, for an Order pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and Section 3 of the Federal Arbitration Act, compelling arbitration of the claims of the Plaintiff, BARRY MCGOWAN, and staying this action pending a resolution of the arbitration.

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Please take further notice that, pursuant to Rule 6.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, Plaintiff's opposition papers, if any, shall be served by January 30, 2018, and reply papers, if any, shall be served by February 6, 2018.

Dated: New York, New York
January 16, 2018

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

By: /s/ Nancy V. Wright
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